



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,669	11/25/2003	Uma Kant Singh	34874-281	6260
64280	7590	07/31/2009		
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C.				
ONE FINANCIAL CENTER				
BOSTON, MA 02111				
EXAMINER				
RICEK, JASON D				
ART UNIT		PAPER NUMBER		
2442				
MAIL DATE		DELIVERY MODE		
07/31/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/720,669

Applicant(s)

SINGH ET AL.

Examiner

JASON RECEK

Art Unit

2442

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is in response to the amendment filed on March 18th 2009.

Status of Claims

Claims 20-23 are pending, but currently rejected under 35 U.S.C. 103(a).

Response to Arguments

1. Applicant's arguments, see pg. 7, filed 3/18/09, with respect to the rejection(s) of claim(s) 20 under 103(a) have been fully considered and are persuasive. Specifically, the argument that Creswell does not suggest that there are two or more devices is persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Multer US 7,415,486 B2.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Multer et al. US 6,694,336 B1 in view of Creswell et al. US 6,445,783 B1 and Multer US 7,415,486 B2 (hereinafter "Multer 486").

Regarding claim 20, Multer discloses *"A system for synchronizing data objects for a user between a primary platform and a plurality of auxiliary platforms comprising,"* as *"a system [...] for transferring data between two devices which require information to be shared between them,"* (col. 4, line 65) and states more specifically that the intention is to synchronize information between multiple computing systems (col. 5, line 1-2, 26-28). Multer discloses *"a memory"* and *"processing means, coupled to the memory, to execute at least one computer program"* as components of a device to be synchronized (col. 5, line 6) where the system *"comprises a set of programs specifically designed to transmit and/or receive differencing data from one device to another device"* (col. 5, line 17). Multer discloses *"creating a set of generic messages identifying changes to the data objects on the primary platform since a previous synchronization"* as a set of self-describing synchronization transactions (col. 12, line 10) that identify changes, i.e. what has been added, deleted, and/or modified (col. 17, line 46), to the data on the first system when compared to the data it knows the and system contains (col. 6, line 8). The vendor-specific application data is converted to a generic or universal format before changes are calculated and transactions are logged (col. 17, line 37). Multer discloses *"converting the generic messages to adapted messages corresponding to each of the auxiliary platforms"* as the conversion of the extracted changes into "difference

information A" which contains the changes and implementation instructions for the second platform (col. 5, line 60). Multer discloses *"sending the adapted messages from the primary platform to the corresponding auxiliary platforms"* as the next step in the process, which is to transmit the difference information to the second system (col. 6, line 29). Multer discloses *"converting the adapted messages to generic messages on each of the auxiliary platforms"* as the step in which the difference information, having been received by the second system, is interpreted and its data is reconstructed on the second system (col. 6, line 13). Multer discloses *"updating the data objects on the respective auxiliary platforms using the generic messages converted from the adapted messages"* as the step in which the second system uses the reconstructed data from the first system to update its own data (col. 6, line 3).

Multer does not explicitly disclose "accessing a database to obtain a user identifier, the user identifier being associated with the user and linking to two or more device identifiers, the device identifiers identifying the plurality of auxiliary platforms" however this is substantially taught by Creswell (with the exception of two or more device identifiers) as a system that accesses a database to determine the source of communication (user identifier) and then uses this information (identifier) to identify the device associated with the user (col. 1 ln. 35-45, Fig. 5, col. 3 ln. 45-50). Thus Creswell discloses a user identifier being associated with the user and linking a device.

Multer does not explicitly disclose "converting the generic messages ... based on the obtained user identifier and the linked device identifiers" however this is also taught

by Creswell as using the user identifier information obtained from the database to perform specialized processing of messages (col. 1 ln. 49-59).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Multer to use the specific user identifier taught by Creswell for the purpose of specialized processing. A user's or device's settings may be stored in a database and then automatically retrieved (as taught by Creswell), this would lead to quicker converting of messages for that specific user or device. Creswell suggests multiple advantages can be obtained using this automatic specialized processing. One of which is to provide greater versatility in communications processing (col. 7 ln. 65-67).

The combination of Multer and Creswell does not explicitly teach "the user identifier ... linking to two or more device identifiers" however this is taught by Multer (486) as a system that uses a user identifier to synchronize data for a user across *multiple* devices (col. 3 ln. 10-30, col. 33 ln. 54 – col. 34 ln. 20, Fig. 15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Multer and Creswell with the teachings of Multer (486) for the purpose of synchronizing data across multiple devices. Multer (486) suggests that this provides advantages to applications that require data transfer (col. 2 ln. 56-67).

Regarding claim 21, as indicated by applicant (pg. 7), it is a method that corresponds to the system of claim 20. Therefore it is rejected for the same reasons.

Regarding claim 22, Multer (486) discloses "determining that an error is generated" and "canceling all data objects" (Fig. 15, col. 33 ln. 55-56).

Regarding claim 23, Multer (486) discloses "determining that an error is generated" and "rolling back all data objects" (Fig. 15, col. 33 ln. 55-56).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pesola US 2003/0125057 A1 discloses that users need to synchronize data among multiple devices (paragraph 5).

Rajasekharan et al. US 2002/0004906 A1 discloses that a user identifier links to one or more devices or a group of devices (paragraph 41).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON RECEK whose telephone number is (571)270-1975. The examiner can normally be reached on Mon - Fri 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Caldwell/
Supervisory Patent Examiner, Art
Unit 2442

/Jason Recek/
Examiner, Art Unit 2442
(571) 270-1975